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Docket No. BC45203

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : International Application No.: PCT/EP99/01894  
 Bruck, et al. : I.A. Filing Date: 17 March 1999  
 Serial No.: Unknown : Priority Date: 20 March 1999  
 For: Human CASB 12 Polypeptide, :  
 A Serine Protease :  
 :  
 Commissioner for Patents :  
 Box PCT :  
 Washington, D.C. 20231 :  
 Attn.: PCT Legal Division :

**RECEIVED**  
 14 MAY 2001  
 Legal Staff  
 International Division

REQUEST/PETITION TO ACCORD A FILING DATE AND U.S. SERIAL NO.  
TO A NATIONAL STAGE APPLICATION FILED UNDER U.S. 371

Sir:

This is a request to receive a filing receipt for, or in the alternative, a petition to request a Filing Date and U.S. Serial No. be assigned to, the above-identified application filed as a national stage application under 35 U.S.C. 371. If needed, the fee under 37 CFR §1.17(h) for a petition under 37 CFR §1.53(e) can be charged to Deposit Account 50-0258.

The subject application was submitted as a National stage application under 35 U.S.C. 371 of International Application No. PCT/EP99/01894, and deposited with the U.S. Postal Service on September 20, 2000, in an Express Mail Envelope, under Tracking No. EK602796566US.

The following documents are submitted as evidence to support that was application was filed by Applicants on September 20, 2000:

- (1) Copy of the Express Mail receipt indicating the envelope was received by the U.S. Post Office on September 20, 2000 (Exhibit A);
- (2) A copy of the application and associated papers filed on September 20, 2000 indicating the Express Mail number (Exhibit B). These papers are:
  - (a) Transmittal Letter;
  - (b) Preliminary Amendment;

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- (c) International Publication No. WO 99/49055;
  - (d) International Search Report with references;
  - (e) International Preliminary Examination Report;
  - (f) Written Opinion
- (3) A printout of the Express Mail Tracking & Delivery Confirmation indicating the envelope was delivered to Washington, DC on September 21, 2000 (Exhibit C);
- (4) A copy of the return postcard which accompanied the application stamped as received by the PCT/PTO on September 20, 2000 and identified the Serial No. as "09/646,624" (Exhibit D).

Upon recent review of the file, it was discovered no further correspondence was received from the PCT/PTO in relation to this application subsequent to the return postcard. Consequently, several phone calls were placed to the PCT Legal Division by Colleen Hanagan, Legal Assistant, inquiring as to the status of this application. During the most recent phone call, the customer service representative conducted a search for both the Serial No. 09/646,624 and the Attorney Docket No. BC45203 and claimed no information existed in the database pertaining to either number. In addition, the Customer Service Representative mentioned the database indicated a different serial no. corresponding to International Application No. PCT/EP99/01894 other than 09/646,624 which she stated she could not reveal.

A review of the Monthly Statement for October for Applicant's Deposit Account No. 50-0258 did not indicate any fees were charged against the account associated with Serial No. 09/646,624 nor Attorney Docket No. BC45203, though the filing authorized fee payment through this deposit account.

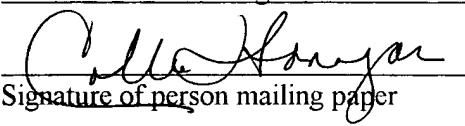
Based on these facts, Applicants can only conclude that an error occurred in processing this application.

Accordingly, Applicants request this application be assigned a filing date and a proper serial number.

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CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this paper and the documents referred to as being transmitted therewith are being deposited with the United States Postal Service on this date May 9, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ET 383 024 442 US addressed to: Commissioner for Patents, Box PCT, Washington, D.C. 20231, Attn.: PCT Legal Division.

Colleen Hanagan  
  
Signature of person mailing paper

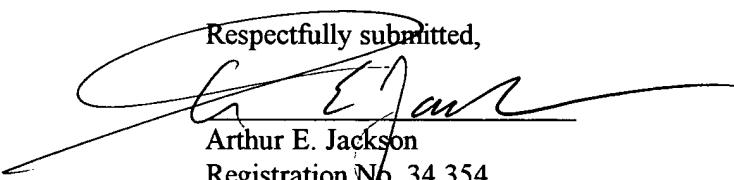
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**Authorization to Charge Deposit Account**

Authorization is hereby given to the Commissioner to charge Deposit Account No. 50-0258 the total filing fees associated with this application. It is believed there is no fee required for filing this petition, however, authorization is also given to charge the Deposit Account 50-0258 any additional fees.

Respectfully submitted,



Arthur E. Jackson  
Registration No. 34,354  
Attorney for Applicants

DECHERT  
4000 Bell Atlantic Tower  
1717 Arch Street  
Philadelphia, PA 19103-2793  
Fax: (609) 620-3259  
Attn: Arthur E. Jackson, Esq.  
(609) 620-3254